

**To:** Chin, Lucita[Chin.Lucita@epa.gov]  
**From:** Boomgaard, Craig  
**Sent:** Mon 9/16/2013 8:00:53 PM  
**Subject:** FW: Solution

Craig Boomgaard, P.G., PMP

Environmental Scientist – UIC Program

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Boomgaard.Craig@epa.gov

**From:** Connors, Kevin C. [mailto:kcconnors@nd.gov]  
**Sent:** Monday, September 16, 2013 1:41 PM  
**To:** Boomgaard, Craig  
**Subject:** RE: Solution

Craig,

Sorry to hear about the flooding in CO. I hope you and your family are safe and sound. Here is language that works for us. Please let me know what you think. Feel free to call if need be.

Take care.

A. \_

B. Conformance with Laws and Regulations

C. \_

*The Commission shall administer the North Dakota Class VI UIC program consistent with the State's submission for program approval primacy application; this MOA; the SDWA which promulgates minimum federal requirements; State laws and regulations, which EPA has determined are at least as stringent as federal requirements; and any separate working agreements which shall be entered into with the Regional Administrator in concurrence by the Commission as necessary for the full administration of the Class VI UIC program.*

Kevin C. Connors

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**From:** Boomgaard, Craig [<mailto:Boomgaard.Craig@epa.gov>]  
**Sent:** Thursday, September 12, 2013 12:23 PM  
**To:** Connors, Kevin C.  
**Subject:** RE: Solution

Kevin,

We've been having some weather issues down here.

Anyway, here are proposed sets languages.

The Commission shall administer the North Dakota Class VI UIC program consistent with the State's submission for program approval, this MOA, the SDWA, promulgated minimum federal requirements, EPA approved State laws and regulations, and any separate working agreements which shall be entered into with the Regional Administrator in concurrence by the Commission as necessary for the full administration of the Class VI UIC program.

The Commission shall administer the North Dakota Class VI UIC program consistent with the State's submission for program approval, this MOA, the SDWA, promulgated minimum federal requirements, State regulations that meet minimum federal requirements and federal laws and regulations, and any separate working agreements which shall be entered into with the Regional Administrator in concurrence by the Commission as necessary for the full administration of the Class VI UIC program.

I've got a meeting I will give you a call afterwards to discuss.

Craig

**From:** Connors, Kevin C. [<mailto:kcconnors@nd.gov>]  
**Sent:** Wednesday, September 11, 2013 3:41 PM  
**To:** Boomgaard, Craig  
**Subject:** Solution

Please find the solution to this issue below. This is a simple fix that addresses the commenters concerns.

C. Conformance with Laws and Regulations

The Commission shall administer the North Dakota Class VI UIC program consistent with the State's submission for program approval, this MOA, the SDWA, which promulgated minimum requirements, State and federal laws and regulations, and any separate working agreements which shall be entered into with the Regional Administrator in concurrence by the Commission as necessary for the full administration of the Class VI UIC program.

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**From:** Boomgaard, Craig [<mailto:Boomgaard.Craig@epa.gov>]  
**Sent:** Wednesday, September 11, 2013 12:51 PM  
**To:** Connors, Kevin C.  
**Subject:**

Kevin,

Talked with legal. Right now it's not wrong, but if we made either of the two edits it would help clarify. I guess the commenter is a lawyer. We have to keep the "promulgated minimum requirements", but we could do either of the two below. I'm guessing you'll like option 2.

The Commission shall administer the North Dakota Class VI UIC program consistent with the state's submission for program approval, this MOA, the SDWA, current federal statutes and regulations, promulgated minimum requirements, ~~state and federal law~~, and any separate working agreements which shall be entered into with the Regional Administrator in concurrence by the state as necessary for the full administration of the Class VI UIC program.

Or

The Commission shall administer the North Dakota Class VI UIC program consistent with the state's submission for program approval, this MOA, the SDWA, current federal statutes and regulations, promulgated minimum requirements, ~~state and federal law~~, and any separate working agreements which shall be entered into with the Regional Administrator in concurrence by the state as necessary for the full administration of the Class VI UIC program.

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sender and request that they rename the file name extension and resend the  
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